

**AMENDMENTS TO THE DRAWINGS**

Please amend Figs. 1 and 2 as indicated in red on the attached Annotated Sheets.

Replacement Sheets presenting replacement figures which incorporate the desired changes are also enclosed in the Submitted Drawings section of this amendment.

**REMARKS****STATUS:**

The Office Action dated July 31, 2008, (the “Office Action”), has been carefully reviewed. Claims 1-17 are pending in this application. Claims 1, 6, 11-12, 14, and 16 have been amended. Claims 18-20 have been added. Reconsideration of this application is respectfully requested.

**SPECIFICATION:**

The specification has been amended on line 9, page 4, to add the reference numeral 23 which was added in the revised drawings, as discussed in greater detail below.

**DRAWING OBJECTIONS:**

The drawings were objected to because the drawings allegedly fail to show the aperture in the base cover per claims 1, 6, and 11. Figures 1 and 2 have been amended to show the aperture in the base cover. Replacement Sheets presenting replacement figures which incorporate the desired changes are also enclosed in the SUBMITTED DRAWINGS section of this amendment. As such, the objection to the drawings is believed to be overcome and the removal of the objection to the drawings is respectfully requested.

**35 U.S.C. § 112 REJECTIONS:**

Claims 12, 14, and 16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, in that the Examiner states that the limitation “nonsupportive relative to said plurality of electrical conductors” is vague, indefinite, and confusing. Claims 12, 14, and 16 have been amended to replace the words “nonsupportive relative to” with the words

"spaced from". As discussed above, the rejection of claims 12, 14, and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite is believed to be overcome and the removal of the rejection to claims 12, 14, and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite, is respectfully requested.

#### 35 U.S.C. § 102 REJECTIONS:

Claims 1-2, 4, 6-7, 9, and 12-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,503,565 to McCoy (hereinafter "McCoy"). As discussed below, the rejection of claims 1-2, 4, 6-7, 9, and 12-15 as being anticipated by McCoy is believed to be overcome.

#### Discussion Regarding Patentability of Claims 1 and Patentability of Claims 2, 4, and 12-13 Dependent Thereon

Claim 1, as currently amended, recites the following limitations:

a modular wall panel including a base cover with at least one aperture and having a holder; an electrical distribution harness connected to at least the holder of said modular wall panel. (emphasis added)

The power distribution system 10 in McCoy does not include "a holder," as claimed in claim 1.

The wiring harness 16 in McCoy is secured to a receptacle assembly 30. The receptacle assembly 30 is positioned relative to panel 12 by cover 40. The cover 40 is secured to panel 12 by screws 42.

Neither the cover 40 nor the panel 12 of McCoy is "a holder."

Further, since the power distribution system 10 of McCoy does not include a holder, it cannot have "an electrical distribution harness connected to at least the holder of said modular

“wall panel,” as required in claim 1. The power distribution system 10 in McCoy does not include the element of “a holder,” as claimed in claim 1.

Anticipation under 35 U.S.C. § 102 is proper only if the prior art reference discloses each and every element of the claim. Since the power distribution system of McCoy does not disclose each and every element of Applicant’s claim 1, as currently amended, McCoy does not anticipate claim 1. Therefore, the rejection of claim 1 under 35 U.S.C. § 102(b) has been overcome.

Claims 2, 4, and 12-13 depend directly from claim 1. As a result, claims 2, 4, and 12-13 are allowable for at least the reasons hereinbefore discussed with regard to claim 1.

The rejection of claims 1-2, 4, and 12-13 under 35 U.S.C. § 102(b) as being anticipated by McCoy is believed to be overcome and the removal of the rejection to claims 1-2, 4, and 12-13 under 35 U.S.C. § 102(b) as being anticipated by McCoy is hereby requested.

Discussion Regarding Patentability of Claims 6 and Patentability of Claims 7, 9, and 14-15 Dependent Thereon

Claim 6, as currently amended recites the following limitations:

An electrical distribution harness for a modular wall panel having a base cover with at least one aperture and having a holder, said electrical distribution harness comprising:

an electrical receptacle connected to said electrical connector, said at least one channel configured to conform to the holder of the modular wall panel.  
(emphasis added)

The power distribution system 10 in McCoy does not have “a holder,” as claimed in claim 1.

The wiring harness 16 in McCoy is secured to a receptacle assembly 30. The receptacle assembly 30 is positioned relative to panel 12 by cover 40. The cover 40 is secured to panel 12 by screws 42.

Neither the cover 40 nor the panel 12 of McCoy is “a holder.”

Further, since the power distribution system 10 of McCoy does not include a holder, it cannot have “an electrical receptacle connected to said electrical connector, said at least one channel configured to conform to the holder of the modular wall panel” as required in claim 6. The power distribution system 10 in McCoy does not include the element of “a holder,” as claimed in claim 6.

Anticipation under 35 U.S.C. § 102 is proper only if the prior art reference discloses each and every element of the claim. Since the power distribution system of McCoy does not disclose each and every element of Applicant’s claim 6, as currently amended, McCoy does not anticipate claim 6. Therefore, the rejection of claim 6 under 35 U.S.C. § 102(b) has been overcome.

Claims 7, 9, and 14-15 depend directly from claim 6. As a result, claims 7, 9, and 14-15 are allowable for at least the reasons hereinbefore discussed with regard to claim 6.

The rejection of claims 6-7, 9, and 14-15 under 35 U.S.C. § 102(b) as being anticipated by McCoy is believed to be overcome and the removal of the rejection to claims 6-7, 9, and 14-15 under 35 U.S.C. § 102(b) as being anticipated by McCoy is hereby requested.

#### 35 U.S.C. § 103 REJECTIONS:

##### The Rejection of Claims 5 and 10 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claims 5 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McCoy. Reconsideration of the rejection under 35 U.S.C. § 103(a) to claims 5 and 10 in view of the following remarks is respectfully requested.

##### The Rejection of Claim 5 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claim 5 depends directly from claim 1. As a result, claim 5 is allowable for at least the reasons hereinbefore discussed with regard to claim 1.

In the Office Action, the Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over McCoy. The Applicant has overcome the Examiner's rejection of claim 5 under 35 U.S.C. § 103(a), as McCoy does not arrive at the invention of claim 5.

Claim 1, from which claim 5 depends, requires a holder and an electrical distribution harness connected to at least the holder of said modular wall panel. The power distribution system 10 in McCoy does not include "a holder," as claimed in claim 1.

The wiring harness 16 in McCoy is secured to a receptacle assembly 30. The receptacle assembly 30 is positioned relative to panel 12 by cover 40. The cover 40 is secured to panel 12 by screws 42. Neither the cover 40 nor the panel 12 of McCoy is "a holder."

Further, since the power distribution system 10 of McCoy does not include a holder, it cannot have "an electrical distribution harness connected to at least the holder of said modular wall panel," as required in claim 1. The power distribution system 10 in McCoy does not include the element of "a holder," as claimed in claim 1 and, as such, McCoy does not arrive at the invention of claim 1, from which claim 5 depends. Therefore, a prima facie case of obviousness has been overcome with regard to claim 5 and the Examiner's rejection of claim 5 under 35 U.S.C. § 103(a) should be withdrawn.

The Rejection of Claim 10 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claim 10 depends directly from claim 6. As a result, claim 10 is allowable for at least the reasons hereinbefore discussed with regard to claim 6.

In the Office Action, the Examiner rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over McCoy. The Applicant has overcome the Examiner's rejection of claim 10 under 35 U.S.C. § 103(a), as McCoy does not arrive at the invention of claim 10.

Claim 6, from which claim 10 depends, requires an electrical distribution harness for a modular wall panel having a base cover with at least one aperture and having a holder, the

electrical distribution harness comprising an electrical receptacle connected to said electrical connector, said at least one channel configured to conform to the holder of the modular wall panel. The power distribution system 10 in McCoy does not include “a holder,” as claimed in claim 6.

The wiring harness 16 in McCoy is secured to a receptacle assembly 30. The receptacle assembly 30 is positioned relative to panel 12 by cover 40. The cover 40 is secured to panel 12 by screws 42. Neither the cover 40 nor the panel 12 of McCoy is “a holder.”

Further, since the power distribution system 10 of McCoy does not include a holder, it cannot have “said at least one channel configured to conform to the holder of the modular wall panel,” as required in claim 6. McCoy fails to arrive at the claimed structure of an electrical distribution harness for a modular wall panel having a base cover with at least one aperture and having a holder, the electrical distribution harness comprising: an electrical receptacle connected to said electrical connector, said at least one channel configured to conform to the holder of the modular wall panel as set forth in claim 6 from which claim 10 depends. Therefore, a prima facie case of obviousness has been overcome with regard to claim 10 and the Examiner’s rejection of claim 10 under 35 U.S.C. § 103(a) should be withdrawn.

The Rejection of Claims 3 and 8 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claims 3 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McCoy in view of U.S. Patent No. 6,173,536 to Boyce (hereinafter “Boyce”). Reconsideration of the rejection under 35 U.S.C. § 103(a) to claims 3 and 8 in view of the following remarks is respectfully requested.

The Rejection of Claim 3 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claim 3 depends directly from claim 1. As a result, claim 3 is allowable for at least the reasons hereinbefore discussed with regard to claim 1, since Boyce does not overcome the deficiencies of McCoy with respect to claim 3.

In the Office Action, the Examiner rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over McCoy in view of Boyce. The Applicant has overcome the Examiner's rejection of claim 3 under 35 U.S.C. § 103(a), as the proposed combination does not arrive at the invention of claim 3.

Claim 1, from which claim 3 depends, requires a holder and an electrical distribution harness connected to at least the holder of said modular wall panel. The power distribution system 10 in McCoy does not include "a holder," as claimed in claim 1. Further, the workstation of Boyce does not include "a holder."

The wiring harness 16 in McCoy is secured to a receptacle assembly 30. The receptacle assembly 30 is positioned relative to panel 12 by cover 40. The cover 40 is secured to panel 12 by screws 42. Neither the cover 40 nor the panel 12 of McCoy is "a holder."

Further, since the power distribution system 10 of McCoy does not include a holder, it cannot have "an electrical distribution harness connected to at least the holder of said modular wall panel," as required in claim 1. The power distribution system 10 in McCoy does not include the element of "a holder," as claimed in claim 1 and, as such, McCoy does not arrive at the invention of claim 1, from which claim 3 depends.

Neither McCoy nor Boyce arrives at the claimed structure of a holder and an electrical distribution harness connected to at least the holder of said modular wall panel as set forth in claim 1 from which claim 3 depends. Therefore, a prima facie case of obviousness has been overcome with regard to claim 3 and the Examiner's rejection of claim 3 under 35 U.S.C. § 103(a) should be withdrawn.

The Rejection of Claim 8 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claim 8 depends directly from claim 6. As a result, claim 8 is allowable for at least the reasons hereinbefore discussed with regard to claim 6, since Boyce does not overcome the deficiencies of McCoy with respect to claim 8.

In the Office Action, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over McCoy in view of Boyce. The Applicant has overcome the Examiner's rejection of claim 8 under 35 U.S.C. § 103(a), as the proposed combination does not arrive at the invention of claim 8.

Claim 6, from which claim 8 depends, requires an electrical distribution harness for a modular wall panel having a base cover with at least one aperture and having a holder, the electrical distribution harness comprising: an electrical receptacle connected to said electrical connector, said at least one channel configured to conform to the holder of the modular wall panel. The power distribution system 10 in McCoy does not include "a holder," as claimed in claim 6. Further, the workstation of Boyce does not include "a holder."

The wiring harness 16 in McCoy is secured to a receptacle assembly 30. The receptacle assembly 30 is positioned relative to panel 12 by cover 40. The cover 40 is secured to panel 12 by screws 42. Neither the cover 40 nor the panel 12 of McCoy is "a holder."

Further, since the power distribution system 10 of McCoy does not include a holder, it cannot have "said at least one channel configured to conform to the holder of the modular wall panel," as required in claim 6. The power distribution system 10 in McCoy does not include the element of "a holder," as claimed in claim 6 and, as such, McCoy does not arrive at the invention of claim 6, from which claim 8 depends.

Neither McCoy nor Boyce arrives at the claimed structure of an electrical distribution harness for a modular wall panel having a base cover with at least one aperture and having a

holder, the electrical distribution harness comprising: an electrical receptacle connected to said electrical connector, said at least one channel configured to conform to the holder of the modular wall panel as set forth in claim 6 from which claim 8 depends. Therefore, a prima facie case of obviousness has been overcome with regard to claim 8 and the Examiner's rejection of claim 8 under 35 U.S.C. § 103(a) should be withdrawn.

The Rejection of Claims 11 and 16-17 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claims 11 and 16-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McCoy in view of U.S. Patent No. 4,017,137 to Parks (hereinafter "Parks"). Reconsideration of the rejection under 35 U.S.C. § 103(a) to claims 11 and 16-17 in view of the following remarks is respectfully requested.

The Rejection of Claim 11 Under 35 U.S.C. § 103(a) Should be Withdrawn

In the Office Action, the Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over McCoy in view of Parks. The Applicant has overcome the Examiner's rejection of claim 11 under 35 U.S.C. § 103(a), as the proposed combination does not arrive at the invention of claim 11, as currently amended.

Claim 11, as currently amended, recites the following limitations:

A method of connecting an electrical receptacle to an electrical distribution harness for a modular wall panel having a base cover with at least one aperture and having a holder, comprising the steps of:  
mounting the harness to the holder. (emphasis added)

The power distribution system 10 in McCoy does not include "an electrical distribution harness having a holder" or the step of "mounting the harness to the holder," as claimed in claim 11.

The wiring harness 16 in McCoy is secured to a receptacle assembly 30. The receptacle

assembly 30 is positioned relative to panel 12 by cover 40. The cover 40 is secured to panel 12 by screws 42. Neither the cover 40 nor the panel 12 of McCoy is “a holder.” Further, the raceway 10 of Parks does not include “a holder.”

Also, since the power distribution system 10 of McCoy does not include a holder, the method of claim 11 cannot have the step of “mounting the harness to the holder,” as required in claim 1. The power distribution system 10 in McCoy does not include “a holder,” as required in claim 11.

Claim 11, requires a holder and the step of mounting the harness to the holder. The power distribution system 10 in McCoy does not include a holder or the step of mounting the harness to the holder, as claimed in claim 11 and, as such, McCoy does not arrive at the invention of claim 11.

Neither McCoy nor Parks arrives at the claimed structure of a holder and an electrical distribution harness connected to at least the holder of said modular wall panel as set forth in claim 11. Therefore, a prima facie case of obviousness has been overcome with regard to claim 11 and the Examiner’s rejection of claim 11 under 35 U.S.C. § 103(a) should be withdrawn.

The Rejection of Claim 16 and 17 Under 35 U.S.C. § 103(a) Should be Withdrawn

Claims 16 and 17 depends directly from claim 11. As a result, claims 16 and 17 are allowable for at least the reasons hereinbefore discussed with regard to claim 11.

Therefore, a prima facie case of obviousness has been overcome with regard to claims 16 and 17 and the Examiner’s rejection of claims 16 and 17 under 35 U.S.C. § 103(a) should be withdrawn.

**NEW CLAIMS:**

Claims 18-20 have been added. These claims are dependent on claims 1, 6 and 11, respectively, which are novel and non-obvious as discussed above.

Claims 18 depends directly from claim 1. As a result, claim 18 is allowable for at least the reasons hereinbefore discussed with regard to claim 1.

Claims 19 depends directly from claim 6. As a result, claim 18 is allowable for at least the reasons hereinbefore discussed with regard to claim 6.

Claims 20 depends directly from claim 11. As a result, claim 20 is allowable for at least the reasons hereinbefore discussed with regard to claim 11.

Accordingly, claims 18-20 are believed to be allowable over the prior art. Support for these claims can be found in FIGS. 1-3 and in the specification on pages 4-7.

**SUMMARY:**

For the foregoing reasons, Applicant submits that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Moreover, Applicant submits that no combination of the cited references teaches, discloses, suggests, or arrives at the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefore and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally

petitions therefore and authorizes that any charges be made to Deposit Account No. 20-0095,

TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,

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**SUBMITTED DRAWINGS**

Drawings that are being submitted include Replacement Sheets and Annotated Sheets, as indicated on the pages that follow.